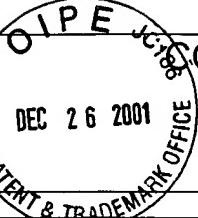


01-02-02

CPA/16465 #1  
DMJ  
1-202

(Modified) PTO/SB/29 (8/98)

Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 C.F.R. §1.53(d))

CHECK BOX, if applicable  
 DUPLICATE

Address to:  Assistant Commissioner for Patents Box CPA Washington, D.C. 20231	Attorney Docket No. of Prior Application	407T-896410US	RECEIVED
	First Named Inventor	Peter J.Kushner	JAN 03 2001
	Examiner Name	Michael Pak	RECEIVED
	Group/Art Unit	1646	JAN 03 2001
	Express Mail Label No.:	EL921061251US	RECEIVED

PATENT CENTER 1600/2900

This is a request for a  continuation or  divisional application under 37 C.F.R. §1.53(d),  
 (continued prosecution application (CPA)) of prior application No. 09/103,355,  
 filed on June 23, 1998, entitled METHODS FOR SCREENING NUCLEAR TRANSCRIPTION FACTORS FOR THE ABILITY TO MODULATE AN ESTROGEN RESPONSE.

## NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. §1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. §154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. §1.53(d), but must be filed under 37 C.F.R. §1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. §1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. §1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. §1.78(a).

1.  Enter the amendment previously filed on \_\_\_\_\_ under 37 C.F.R. §1.116 in the prior non provisional application.
2.  A preliminary amendment is enclosed
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. §1.53(d)(4).
  - a.  DELETE the following inventor(s) named in the prior nonprovisional application: \_\_\_\_\_
  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5.  Information Disclosure Statement (IDS) is enclosed: 01/03/2002 GTEFFERA 00000063 500893 09103355
  - a.  PTO-1449 01 FC:231 370.00 CH
  - b.  Copies of IDS Citations

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 C.F.R. §1.16(c) or (l))	13-20* =		x \$ =	\$
	INDEPENDENT CLAIMS (37 C.F.R. §1.16(B) OR (l))	3-3** =		x \$ =	\$
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. §1.16(d))			+ \$ =	\$
				BASIC FEE (37 C.F.R. §1.16)	740.00
			Total of above Calculations =		740.00
	Reduction by 50% for filing by small entity (Note 37 C.F.R. §1.9, 1.27 & 1.28).				370.00
	* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.			TOTAL =	370.00

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JAN 03 2004

6. Small entity status:
- A small entity statement is enclosed, if (b) and (c) do not apply.
  - A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
  - Is no longer claimed.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 50-0893:
- Fees required under 37 C.F.R. §1.16.
  - Fees required under 37 C.F.R. §1.17.
  - Fees required under 37 C.F.R. §1.18.
8.  A check in the amount of \$ \_\_\_\_\_ is enclosed.
9.  New Attorney Docket Number, if desired \_\_\_\_\_  
(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)
10. a.  Receipt for Facsimile Transmitted CPA (PTO/SB/29A)  
b.  Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
11.  Other: \_\_\_\_\_

**NOTE:** The prior applications correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.

## 12. NEW CORRESPONDENCE ADDRESS

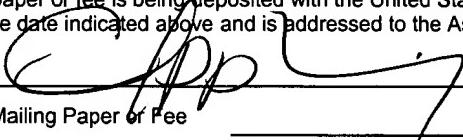
<input checked="" type="checkbox"/> Customer Number or Bar Code Label		<b>22798</b>	or <input type="checkbox"/> New correspondence address below
PATENT TRADEMARK OFFICE			
Name			
Address			
City		State	
Country		Telephone	
			Fax

ENTER 1600/2900

**13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	<b>Tom Hunter</b>	REIVED
Signature		JAN 03 2001
Registration No. (Attorney/Agent)	<b>38,498</b>	TECH CENTER 1600/2900
Date	<b>December 26, 2001</b>	

**CERTIFICATE OF EXPRESS MAILING under 37 CFR 1.10**

Express Mail Label No:	<b>EL921061251US</b>	Date of Deposit	<b>December 26, 2001</b>
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231.			
Signature			
Typed Name of Person Mailing Paper or Fee	<b>Chianti Appling</b>		

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: _____	Examiner: _____		
	Tech Center: _____		
	Facsimile Number: _____		
Typed or printed name			
Signature		Date	

#18  
DMS  
1-282

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b>		Docket Number (Optional) 407T-896410US
	In re Application of Peter J. Kushner, et al.	
	Application Number: 09/103,355 Filed: June 23, 1998	
	For METHODS FOR SCREENING NUCLEAR TRANSCRIPTION FACTORS FOR THE ABILITY TO MODULATE AN ESTROGEN RESPONSE	
	Group Art Unit 1646	Examiner Michael Pak

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response in the above-identified application.

The requested extension and appropriate non-small-entity fee are as follows  
(check time period desired):

<input type="checkbox"/>	One month (37 CFR 1.17(a)(1))	\$ 110
<input type="checkbox"/>	Two months (37 CFR 1.17(a)(2))	\$ 400
<input type="checkbox"/>	Three months (37 CFR 1.17(a)(3))	\$ 920
<input checked="" type="checkbox"/>	Four months (37 CFR 1.17(a)(4))	\$1440
<input type="checkbox"/>	Five months (37 CFR 1.17(a)(5))	\$1960

Applicant is a small entity under 37 CFR 1.9 and 1.27, therefore the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 720.00.

A small entity statement under 37 CFR 1.27:

- is enclosed.  
 has already been filed in this application.

A check in the amount of the fee is enclosed.

The Commissioner has already been authorized to charge fees in this application to a Deposit Account.

The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account Number 50-0893. I have enclosed a duplicate copy of this sheet.

I am the  assignee of record of the entire interest.

applicant.

attorney or agent of record.

attorney or agent under 37 CFR 1.34(a)  
Registration number if acting under 37 CFR 1.34(a). 38,498

December 26, 2001

Date

01/03/2002 STEFFERA 00000064 500893 09103355

01 FC:218

720.00 CH

Signature

  
Tom Hunter

38,498

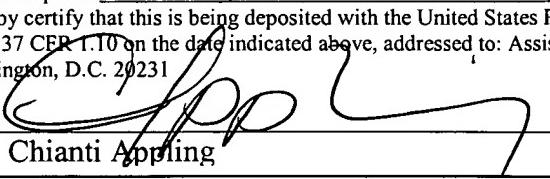
Typed or printed name and Reg. No.

Express Mail Label No. EL921061251US

Date of Deposit: December 26, 2001

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above, addressed to: Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231

By:

  
Chianti Appling